

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

PAUL PRACHUN, et al.,	:	
	:	
Plaintiffs,	:	Case No. 2:14-cv-2251
	:	
v.	:	JUDGE ALGENON L. MARBLEY
	:	
CBIZ BENEFITS & INSURANCE SERVICES, INC. et al.,	:	Magistrate Judge Kemp
	:	
Defendants.	:	

OPINION & ORDER

On February 3, 2015, the United States Magistrate Judge issued a **Report and Recommendation** in this case (Doc. 21), recommending that the Court deny Plaintiffs' motion to remand this case to state court. (Doc. 9). The Plaintiffs argued that this Court did not have subject matter jurisdiction over any of its claims, and that the Defendants were incorrect that the Plaintiffs had brought claims which fall within the scope of the Employee Retirement Income Security Act ("ERISA"). The Magistrate Judge found that ERISA preempted Plaintiffs' claim for benefits, supporting the existence of jurisdiction in this case and the propriety of removal. The parties were specifically advised of their right to object to the Report and Recommendation and of the consequences of their failure to do so. No objection has been filed.

Since neither party has objected, and the deadline for such objections elapsed on February 17, 2015, this Court **ADOPTS** the Magistrate Judge's Report and Recommendation. Plaintiffs' Motion to Remand is **DENIED**. (Doc. 9).

IT IS SO ORDERED.

s/ Algenon L. Marbley
ALGENON L. MARBLEY
UNITED STATES DISTRICT JUDGE

DATED: June 18, 2015